

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GLORIA GAINES HANNA,

Plaintiff,

v.

Case No. 04-74910

Hon. John Corbett O'Meara

FARMINGTON PUBLIC SCHOOL DISTRICT,
et al.,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION
FOR LEAVE TO CONTINUE PLAINTIFF'S DEPOSITION**

On December 16, 2004, Plaintiff Gloria Gaines-Hanna, on behalf of herself and her two minor children, filed a pro se lawsuit against the Farmington Public School District and dozens of teachers, coaches, and administrators. Plaintiff's 277 page complaint alleges a number of constitutional and statutory violations over a period of ten years. On May 4, 2005, the court granted Defendants' motion to dismiss all claims of Ms. Gaines-Hanna's children because a parent can not represent her children's interests without the assistance of an attorney. The claims of Ms. Gaines-Hanna herself are still pending.

Ms. Gaines-Hanna's deposition began on July 13, 2005 and continued on August 15, 2005. In total, Ms. Gaines-Hanna has testified for approximately 10 hours to date. Federal Rule of Civil Procedure 30(d)(2) provides that "unless otherwise authorized by the court or stipulated by the party, a deposition is limited to one day of 7 hours. The court must allow additional time consistent with Rule 26(b)(2) if needed for a fair examination of the deponent." On August 22, 2005, Defendants filed a Motion for Leave to Continue Plaintiff's Deposition, claiming that they had not been able to complete the deposition because of the breadth of material they needed to

cover. On September 2, 2005, Plaintiff filed a Motion for Protective Order from Additional Depositions, claiming that her deposition was being conducted in bad faith to harass and embarrass her and to unduly delay the litigation.

While depositions are rarely pleasant experiences, the court is not convinced that the deposition thus far has been conducted in a manner intended to harass or embarrass Plaintiff. She is clearly an essential witness in the lawsuit. Because of the sheer scope of the allegations and the number of defendants, the court deems it prudent to extend the deposition of Plaintiff for another seven hours. This additional time should allow for a fair examination. The continuation of the deposition shall be scheduled at the parties' earliest convenience. If the parties decide to complete the deposition in one day, Plaintiff shall be given a sufficient lunch break, which shall not be included in the seven hour allotment.

Accordingly, **IT IS HEREBY ORDERED** that Defendant's August 19, 2005 Motion for Leave to Continue Taking Plaintiff's Deposition is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's August 2, 2005 Motion for Protective Order from Additional Depositions is **DENIED**.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: September 9, 2005